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REMARKS

Claims 1 and 9 stand rejected under 35 USC 101. Applicant has amended claims 1 and 9.

Claims 1-20 stand rejected under 35 USC 103(a) as being unpatentable over Veeneman. Applicant has amended independent claims 1, 9, and 17, as well as dependent claims 2, 4-7, 11, and 13-15.

Veeneman fails to disclose the invention as now claimed.

With respect to claim 1, Veeneman fails to disclose:

- a) coupling an electronic consumer device to a computer of a business;
- b) accessing a personal data preferences program of the computer by the consumer device;
- c) recording personal data preferences selected by the consumer via the consumer device by the computer;
- d) coding selected personal data preferences by the computer;
- e) downloading coded personal data preferences to the consumer device by the computer;
- f) transferring the coded personal data preferences to a consumer storage medium; and
- g) reading the coded personal data preferences from the consumer storage medium by a transaction computer.

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during a transaction between the consumer and the business.

With respect to claim 9 Veeneman fails to disclose:

- a) coupling an electronic consumer device to a computer of a business;
- b) accessing a personal data preferences program of the computer by the consumer device;
- c) permitting the consumer to select personal data preferences via the consumer device by the computer;
- d) encoding selected personal data preferences by the computer; and
- e) downloading encoded selected personal data preferences to the consumer device by the computer for later use during the purchase transaction.

With respect to claim 17 Veeneman fails to disclose:


- a processing unit;
- a network interface in communication with the processing unit and operable to be coupled to an electronic network; and
- memory in communication with said processing unit and containing a plurality of instructions which, when executed by the processing unit, cause (a) an electronic consumer device to access a personal data preferences program via the electronic network; (b) allow a consumer via the consumer device to select personal data preferences; (c) convert selected personal data preferences into a personal data model; (d) code the personal data model in a format readable by a retail

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terminal during a purchase transaction; and (e) transmit coded personal data model to the consumer device, wherein the consumer device is operable to transfer received coded personal data model onto a personal data preferences storage medium of the consumer.

Applicant respectfully requests that the pending claims be allowed.

Respectfully submitted,


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